

**MINUTES
COUNCIL WORK SESSION
TOWNSHIP OF MONROE
JUNE 22, 2015**

A.) OPENING CEREMONIES & ROLL CALL

The regular scheduled Work Session Meeting of the Monroe Township Council was called to order by **Council President Frank J. Caligiuri** at approximately **7:03 PM** in the Conference Room on the first floor of the Municipal Complex, located at 125 Virginia Avenue, Williamstown, New Jersey.

This meeting was advertised pursuant to the New Jersey Open Public Meetings Act (*NJSA 10:4-6 thru 10:4-21*). Notices were placed in the official publications for Monroe Township (i.e.: South Jersey Times, Courier Post and the Sentinel of Gloucester County). A copy of that notice has been posted on the bulletin board at the Municipal Complex.

SALUTE TO OUR FLAG – Cncl. Bryson led the Assembly in the Salute to Our Flag.

ROLL CALL OF PUBLIC OFFICIALS

Cncl. Walter Bryson	Present	
Cncl. Marvin Dilks		Excused
Cncl. Rich DiLucia	Present	
Cncl. Bob Heffner	Present	
Cncl. Bart McIlvaine	Present	
Cncl. Cody Miller	Present	
Cncl. Pres., Frank Caligiuri	Present	
Mayor, Daniel Teefy	Present	
Business Admin., Kevin Heydel		Excused
Solicitor, Charles Fiore	Present	
Engineer, Chris Rehmann, ARH	Present	
Dir. of Public Safety, Jim Smart	Present	
Dir. of Code Enforcement, George Reitz	Present	
Dir. of Public Works, Bob Avis	Present	
Deputy Mayor, Andy Potopchuk	Present	
Municipal Clerk, Susan McCormick	Present	

B.) MATTERS FOR DISCUSSION

Monroe Township Municipal Alliance-Social Networking Account Proposal

Mayor Teefy explained that Amanda Potopchuk, Municipal Alliance Board Member was scheduled to attend to present a proposal to council members with regard to the board's Facebook page. He then went on to speak on the proposal and what it consisted of which included a Mission Statement, Overview of the Municipal Alliance and Operational Definitions as well as the Facebook Administration table. This was done in effort to bring about more public awareness for the programs they are putting together. He then referred to the proposal submitted to council indicating it was both very thorough and informative in explaining what the alliance is attempting to do. There was no official action needed on the part of the council it was just to inform and update all on the content of the Facebook page.

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C.) PUBLIC PORTION

Cncl. Miller made a motion to open the Public Portion. The motion was seconded by **Cncl. Heffner** and unanimously approved by all members of Council in attendance.

Carol Stevenson - 921 Lois Drive approached council with questions concerning the drainage issue in her area and if anything was planned for this year. **Engineer, Chris Rehmann** advised we are putting together, what I would hope, council would consider is a bond to solve a myriad of drainage problems that have been hanging on for a while. There are issues along Lois Drive and some issues dealing with the Preserves development and issues along Central Avenue where we have flooding also. He noted that before the end of this month the Mayor will have a document in his hands with estimates on the costs involved with this matter. Mrs. Stevenson then spoke of a flooding problem in the area of E. Lois Drive so in turn the basin in the back which is very tiny has an issue. Mr. Rehmann explained we have to do the basin work first and went on to explain the various phases in this project. Phase II would consist of widening the basin to allow for more water and to control it better and stabilize the area. Phase III would be at the intersection of E. Lois and Lois Drive, this area has some bad pipe and that whole development built sometime in the 1950's has never had any comprehensive drainage system (*with the exception of a couple inlets*). Mrs. Stevenson then posed another question with respect to trash pick-up, in particular the bulk trash days. Mayor Teefy noted that a meeting had just taken place with Mr. Avis and Jackie Wallace from Clean Communities to review some of the projects in place as well as bulk trash to see where we can improve upon the system in place.

Cncl. Miller made a motion to close the Public Portion. The motion was seconded by **Cncl. DiLucia** and unanimously approved by all members of Council in attendance.

D.) NEW BUSINESS

Cncl. McIlvaine reported that he was approached by George Caruso, President of the School Board and he would like to see the school board have a liaison to Council just as Council has a liaison to the school board and he would like that person to be himself. The solicitor advised that no action was needed on the part of council members, the school board would have to appoint him (*or whomever*) as their liaison to the council. **Cncl. McIlvaine** will advise Mr. Caruso on this.

E.) OLD BUSINESS - None

F.) COMMITTEE REPORTS

Cncl. DiLucia reported on a meeting held by the Law Committee (*DiLucia, Bryson, Heffner*) with respect to the Precious Metals ordinance (*Chapter 237*). He advised the committee had reached a consensus on a recommendation to council members on what they felt the final ordinance should look like. He also felt this could be discussed at length at the next ordinance committee meeting but briefly he noted we pretty much agreed that the Rapid System was the one to go with and the police department feels this is the better system. The

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F.) COMMITTEE REPORTS (cont'd)

feeling was that after a year or so we could review it and if it had as many flaws as the jewelers are contending we can always change it (*Rapid System*). Cncl. DiLucia continued and noted we agreed to go with 48 hours hold as opposed to the 72 hours and wherever "*Precious Metals*" appears throughout the code the phrase "*Second hand goods*" should also appear. There was also discussion on having a limit dealing with gold and silver. It was the recommendation of the committee that they should report all of it. With the police department showing some discretion when it comes to tiny, small amounts. There was an issue involving payment via check, one jeweler resisted paying by check the other would prefer to pay via check. He felt to put a \$200.00 limit on this would be a sufficient amount, therefore anything over \$200.00 can be paid via check, under \$200.00 can be paid in cash, the committee felt this to be a reasonable threshold. Also, the committee felt, at least initially, that we (*township*) should pay for the software system involved and grandfather those jewelers the one time. This would be a one-time expenditure and after that any upgrade or changes, or any new businesses coming into town would pay for the software. The solicitor will prepare an ordinance with all amendments included for review at the July 1st ordinance committee meeting.

G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED

Cncl. Heffner posed a question with regard to *R:104-2015 Resolution Awarding A Contract For Professional Services To Adams, Rehmann & Heggan Associates, Inc. For Design Services And Construction Management/Inspection Of The Pipe Lining At Saybrook Avenue For The Township Of Monroe, County Of Gloucester, State Of New Jersey.*

Cncl. Heffner questioned if we are admitting that we have a problem by lining this pipe and if by lining the pipe and the problem doesn't go away what is our responsibility still. **Engineer, Chris Rehmann** explained what we (*ARH*) are asking for is permission to prepare an easement description to see whether Mr. Morris will allow us on his property. That pipe is on his property because council, some forty to fifty years ago, put that pipe in. What we would like to do is have him give us a "*Hold Harmless Agreement*" that if we line the pipe to seal it to make sure that there is no water emanating out of that. This would take us out of the issue of how his basement is or is not flooding. Cncl. Heffner questioned if we do line the pipe, any damages he has incurred before we line the pipe are we going to be held liable for any prior damages? **Solicitor Fiore** advised he spoke with Dave Cella, ARH on this and sent a letter to him on some of his concerns. This is for design and he indicated to Dave that we would not move forward with the project unless there is a signed Hold Harmless Agreement along with a full release as to the municipality, and if this documentation is not obtained he felt we should not move forward with the project. He also noted at one time we also spoke of perhaps getting a hydrological study done of the basement but that may, in fact, be opening up Pandora's Box where we may have to do that in every setting. Mr. Fiore then added just as long as we get a 100% release and a Hold Harmless Agreement after the design portion, then we can move forward with it. He also added they will have to give us an "*access agreement*" as well to get on to the property. Mr. Fiore noted he is comfortable moving forward in that fashion, without that we really can't move forward. **Mr. Rehmann** then explained the reason we chose this method of taking care of the pipe is we have a video that

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G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED (cont'd)

shows the pipe is intact, that there are no holes in the pipe, there are no rusted out spots. He could not guarantee that the joints, under pressure may leak some water. What we are trying to do is to say to Mr. Morris it is not our fault. Mr. Rehmann noted he (*Morris*) is going to have to retain an engineer to determine why this has happened and we don't want to go in there and replace a pipe because we are afraid even the pressure of the excavation may have some damage to the walls of the basement. The basement is made of a sand stone wall and he did not know if it was even on a foundation. **Cncl. Bryson** noted there was a recommendation to do a test, beforehand and questioned why we are backing off of the test, because wouldn't that determine whether or not it was groundwater. Solicitor Fiore then noted we may not want to determine what the cause is, we may want to try and fix the problem. Sometimes attorneys overthink things and looking at it from the big picture, again we may not want to determine the cause. We can address the problem and that is fine beyond that we may be opening up other issues perhaps in other parts of town. It could be that every resident may want us to then incur the costs of a hydrologic study and we may want to avoid that unless it is something that we necessarily have to do. **Cncl. Bryson** then questioned, what if he doesn't agree to the conditions that you are requesting? Mr. Fiore responded then we can't fix the problem. Certainly we don't want to admit to liability, when liability hasn't been determined to be the fault of the municipality, he was not even sure if council approved the plan some fifty years ago. It is probably something that whomever was the public works person back then, they decided to remedy a problem and that is how they would remedy a problem in those days. Now, because of attorneys we have to overthink things, we have to get easements, access easements and hold harmless agreements. We are addressing the problem even though I think the professionals are somewhat pretty confident that the breakdown of the pipe is not the cause of the problem. Since 2011 the seasonal high groundwater in south Jersey has changed. There are many factors involved and again we may not want to identify the factors. The individual may be satisfied with the result that we are trying to set forth. **Cncl. Bryson** again questioned if Mr. Fiore has sat down with him (*Morris*) and talked to him about the conditions and what they really mean to him. Mr. Fiore stressed again what his role is and that he is the attorney for the municipality, when the information is provided to him there will be caveats in there that I represent the Township of Monroe not necessarily his individuals interests. He certainly has the right to have an attorney review the documents and again Monroe Township is the client not the gentleman on Saybrook Avenue. Again, I don't mean this to sound like I am being devious. He has to knowingly and voluntarily sign it and understand what he is signing and he has the right to have an attorney review it. **Cncl. Pres., Caligiuri** questioned if this was storm water, is that a storm water line? Mr. Rehmann responded, yes it is a storm water line adding that it is a siphon from Lindale Avenue to Saybrook Avenue explaining what a siphon means is that it does not come out into a stream or a ditch, it goes into the inlet at Lindale under an old garage facing Lindale then through Mr. Morris's property to Saybrook then down Saybrook to Main Street and down Main Street to an inlet that is lower than any of the other inlets. So, the water goes in and builds up and comes out the inlet on Main Street. There is water in the pipe and that is what we originally thought because not all the water drains out but enough drains out that it doesn't flood the streets. We thought, maybe there is an issue so we had the entire pipe cleaned from Main Street down Saybrook through the easement to Lindale. Then we videoed that and we did not see any damage to the pipe, which surprised

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G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED (cont'd)

us because it is an old pipe and it is corrugated metal and usually because of the acidic water and soils in this area we sometimes loose that kind of pipe over a course of fifty years. What we thought was a solution would be to line the pipe and that would seal the inside of the pipe completely so that we have a strong (*inaudible*). Mr. Rehmann continued that in order to do a hydro-geologic survey we probably would have to put four to five monitoring wells in to define where groundwater is today and where it would be and how it fluctuates. **Cncl. Heffner** then noted he had no problem with what we are doing, he just wanted to make sure I am not buying somebody a basement. **Cncl. DiLucia** noted he felt where the problem is going to come in is with the Hold Harmless Agreement explaining that he was in the basement and it is an old dungeon like area and the damage that has been done so far, regardless of what has been causing it, is that you can actually see holes in the wall where the water has basically funneled through. He added he (*Morris*) has a sump pump because he claims when it rains hard he gets one hundred gallons an hour pumping out. The steps are starting to come away from the wall and you can see where there is an erosion of the steps. His concern is that there has to be damage to that ground, there has to be water tunnels in that ground. Water has found its way in somehow, whether it is coming from the pipes or coming from the ground. **Cncl. DiLucia** then noted the one thing he did notice was the roof drains (*gutters*) were going onto the ground and I suggested that he should divert those drains away from the run off where they would run downhill away from the base of the wall. He was not quite sure if there was some new cement but if so, this could be a potential problem because he may have cemented so much that there is no place for the water to go and when it rains it just finds the low spot. **Cncl. DiLucia** then spoke with regard to a Hold Harmless Agreement in that the difference would be if you are digging and something happens versus damage that is already done. He felt that the homeowners insurance would cover damage done by water that came in from the outside. Maybe if someone speaks with him (*Morris*) or his lawyer that if all he is looking for is a correction of the problem maybe the pipe will do that but if he is looking for someone to pay damage done already, he felt that is another issue. Mr. Fiore then noted he has his options and he should seek separate legal counsel to find out what his options are. **Cncl. DiLucia** felt right now we are not talking about a lot of damage unless it continues to erode that ground. Mr. Fiore again noted water is strange, it is going to find the opening and if the pipe is not leaking then we can be confident that the pipe is not causing it, it is underground water that is causing this and we don't know what direction it is coming from. He then questioned if that particular lot, does it drain towards the house? **Cncl. DiLucia** noted it looks to him like right where the basement is it has a slight incline towards the house. Mr. Fiore questioned and that is the low spot in that area? Mr. Rehmann responded, yes. Discussion continued on the drainage around the house and **Cncl. DiLucia** advised that he should get extensions on the down spouts and direct them to run downhill the other way and he was not sure if that was done. **Cncl. Bryson** then noted this is the second situation like this when part of Ward 3 had a situation like that and it is something that keeps coming up. First we had the computer store, there was also a farm on the other side of town where people were being flooded. **Cncl. Bryson** added it cost us a lot of money on one of those settlements and that was something where some forty/fifty years ago somebody in this town put a pipe in, put nothing down but maybe there is some knowledge of other situations like this. He questioned if there was anything that we could do, is there any old drawings, is there any old whatever that would locate these things where

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G.) QUESTIONS REGARDING RESOLUTIONS SCHEDULED (cont'd)

perhaps corrective action could be taken. **Engineer, Chris Rehmann** noted we do have problems in certain areas and we are going to have to address them and he has met with the mayor on this and he spoke of a situation in Green Meadows where it used to flood toward the New Brooklyn Road side and what we did is install a 48 inch concrete pipe out of Green Meadows parallel to a corrugated metal pipe that was done by the original developer in the 1960's. That corrugated metal pipe is now failing and we must address fixing that. We are fixing an area along Winslow Road replacing pipe with reinforced concrete pipe as we did when solving the problem in Green Meadows. There is also a problem out in the area of Central Avenue where two families have built. He noted the problems with the flow of water as well as other drainage issues in the township. He then elaborated on the problem with PC Helpers, adding that ARH was able to attain the old engineer's records and that installation was probably was done in the 1920/30's and it was nothing that anyone here did. Mr. Rehmann felt all should sit down and discuss this matter adding we have a storm water management location of all out falls, pipes, inlets and inventories of each. Mr. Rehmann explained the general formation in this area are clays and sands and the sands are what our biggest culprit is because they let water flow through fairly quickly and that is what when you are doing a retention basin you hope for. What we have in that area (*Saybrook*) it just seems to be when I say quickly I mean approximately two feet per hour so if that pipe has water in it and it is ten feet away you are talking about five hours for water to get to that wall. What Mr. Morris has told me is that as soon as it starts to rain he gets water in his basement and he has to a mop and have the sump pump running. It comes so quickly it does not seem like it is possible to come out of the pipe that quickly. Mr. Rehmann noted he sees this as some other failure such as rising ground water. **Cncl. Bryson** questioned if there was any type of funding available for residents/township. He then referred to problems in the area of Pitman Downer Road. Mr. Rehmann advised of the NJ Infrastructure Trust and it has a funding program where it is 40% grant, 60% low interest loan depending on the type of project. He explained that right now the problem with Monroe as it has relates to Hurricane Sandy relief is that we are on the top of the watershed in between the Delaware River and the Atlantic Coast so we are not eligible for relief.

Solicitor Fiore advised that the closing with regard to PC Helpers is scheduled to take place on Thursday, June 25th at 10:00AM at which time the township will take ownership of that property.

Cncl. DiLucia questioned if the grant had come through with respect to the proposed dog park and if so what was the amount of money we are to receive. Mr. Rehmann advised that yes the grant came through and the amount was \$780,000.00 explaining it is not just for the dog park it also includes access roads as well as grading for potential fields. It is the foundation of connecting Owens Park, Genova and Mary Mazza Duffy fields which encompasses that whole complex through there. What the mayor has asked for is an aerial view showing all of that so we can look at how to plan what else is in store for the area. **Cncl. DiLucia** advised that the record should reflect that out of the \$780,000.00 figure one half is in the form of a grant the other half is in the form of a low interest loan.

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Mayor Teefy then advised we always attached the name "dog park" to this \$780,000.00 figure, it is really for expansion of the Owens Park Complex with the dog park being included in the expansion project.

H.) QUESTIONS REGARDING ORDINANCE SCHEDULED - None

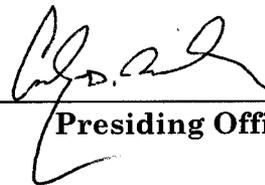
I.) ADJOURNMENT

With nothing further for discussion, Cncl. Miller made a motion to adjourn the Council Work Session of June 22, 2015. The motion was seconded by Cncl. McIlvaine and was unanimously approved by all members of Council in attendance.

Respectfully submitted,



Susan McCormick, RMC
Municipal Clerk



Presiding Officer

These minutes were prepared from the tape-recorded proceedings and the hand written notes of the Council Work Session of June 22, 2015 and serves only as a synopsis of the proceedings. Portions of the official tape may be heard in the Office of the Township Clerk upon proper notification pursuant to the Open Public Records Law.

Approved as submitted AmJ
Approved as corrected _____

Date 7/27/15
Date _____